

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

MGT GAMING, INC.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:12-CV-741-CWR-FKB

**WMS GAMING, INC., CAESARS
ENTERTAINMENT CORPORATION,
MGM RESORTS INTERNATIONAL,
INC., ARUZE GAMING AMERICA,
INC. and PENN NATIONAL GAMING,
INC.**

DEFENDANTS

**RESPONSE BY WMS GAMING, INC.,
CAESARS ENTERTAINMENT CORPORATION
AND MGM RESORTS INTERNATIONAL TO
PLAINTIFF'S REQUEST FOR ORAL ARGUMENT (D. E. 51)**

COME NOW WMS Gaming, Inc. (WMS), Caesars Entertainment Corporation (Caesars), and MGM Resorts International (MGM) and respond to Plaintiff's Request for Oral Argument (D. E. 51) as follows:

1. WMS, Caesars and MGM acknowledge that the issue whether to grant Plaintiff's Request (D. E. 51) is a matter solely within the sound discretion of the Court; therefore they will be prepared to present oral argument if is the Court's desire.

2. WMS, Caesars and MGM echo the statement of Aruze Gaming America, Inc. (Aruze) and Penn National Gaming, Inc. (Penn) (D. E. 52) that the record is sufficient "as is" to permit the court to rule on the pending motions, without putting the parties to the expense of traveling to Jackson to present oral argument.

3. Although the Request (D. E. 51) mentions "new case law and evidentiary material submitted by Defendant WMS", Plaintiff apparently did not believe that either was sufficiently new or unanticipated as to justify its seeking leave of Court to file a further written response.

WHEREFORE, WMS, Caesars and MGM join in the suggestion by Aruze and Penn that oral argument is unnecessary, while they acknowledge that the matter is addressed to the Court's sound discretion.

This 18th day of March, 2013.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, W. Scott Welch, III, one of the attorneys for WMS, Caesars and MGM hereby certify that I electronically filed the foregoing Response to Plaintiff's Request for Oral Argument with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record via the ECF system.

SO CERTIFIED, this the 18th day of March, 2013.

/s/ W. Scott Welch, III
W. SCOTT WELCH, III